

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

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NEIL H. FLASTER

In Re:

WILLIAM CHARLES HOVEY,

Debtors.

Chapter 13

Case No. 19-28149

Honorable Rosemary Gambardella

Hearing Date: August 5, 2020, 10:00 a.m.

**ORDER *IN LIMINE* TO STRIKE DEBTOR'S VALUATION REPORT
AND TO EXCLUDE DEBTOR FROM TESTIFYING AS AN EXPERT
OR PROVIDE LAY OPINION TESTIMONY OR EVIDENCE AS TO
THE VALUE OF TELEMARK CNC, LLC'S ASSETS**

The relief set forth on the following page numbered two (2) is hereby **ORDERED**.

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Debtor: William Charles Hovey

Case No.: Case No.: 19-28149(RG)

Caption of Order: Order *In Limine* to Strike Debtor's Valuation Report and to Exclude Debtor from Testifying as an Expert or Provide Lay Opinion Testimony or Evidence as to the Value of Telemark CNC, LLC's Assets

THIS MATTER having been opened to the Court upon the filing of a motion *In Limine* by creditor Robert M. Pietrowicz seeking to exclude evidence of Debtor William Charles Hovey's valuation report and opinion testimony; and this Court having reviewed the submissions by counsel, and having heard the argument submitted; and this Court finding the proposed valuation testimony and appraisal report of the Debtor as not meeting the requirements of Daubert v. Merrell Dow Pharmaceuticals, and Kumho Tire Co. Ltd. v. Carmichael; and for good cause shown for the making of the within Order;

IT IS HEREBY ORDERED, that the appraisal report and valuation opinion testimony proffered by the Debtor shall be and hereby are excluded from evidence pursuant to the relevant provisions of Federal Rules of Evidence 104, 403, 702 and 703.